

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TONY LAMAR CARD.

CASE NO. 3:25-cv-05217-DGE

**Plaintiff,**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION (DKT. NO.  
4)**

## CLARENCE HENDERSON, JR.,

Defendant.

This matter comes before the Court on the Report and Recommendation of the Honorable Magistrate Judge David W. Christel. (Dkt. No. 4.) The Court having considered the Report and Recommendation and the remaining record *de novo*, and no timely objections having been filed<sup>1</sup>, does hereby find and order as follows:

#### **1. Court adopts the Report and Recommendation.**

<sup>1</sup> Plaintiff filed three documents after the expiration of the period for filing objections; none of which appear to directly address the deficiency identified in the Report and Recommendation. (See Dkt. Nos. 5, 6, 7.)

1       2. Plaintiff's Application to Proceed IFP (Dkt. 1) is denied, this case is dismissed with  
2       prejudice as frivolous and for failure to state a claim, and any IFP status on appeal is  
3       denied without prejudice to Plaintiff to file with the Ninth Circuit U.S. Court of Appeals  
4       an application to proceed IFP.

5       3. The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. David W.  
6       Christel.

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8       Dated this 12th day of May, 2025.

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David G. Estudillo  
United States District Judge